

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

BILLY DON VANCE, JR.,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

Case No. CIV-14-316-RAW-KEW

ORDER REMANDING CASE FOR FURTHER PROCEEDINGS

On August 10, 2015, the United States Magistrate Judge entered a Report and Recommendation, recommending that the above-styled case be reversed and remanded for further proceedings. The Magistrate Judge found that the decision of the Commissioner is not supported by substantial evidence and the correct legal standards were not applied. On remand, the ALJ is to consider Plaintiff's moderate limitation on concentration, persistence or pace and re-evaluate Plaintiff's limitation in the use of his right arm.

The Government filed an objection on August 21, 2015, arguing that a reasonable person could agree with the ALJ and that the ALJ's finding is supported by substantial evidence in the record as a whole. The Government requests that the court affirm the final agency decision.

Upon full consideration of the entire record and the issues herein, this court finds that the Magistrate Judge's recommendation to reverse the ALJ's decision and remand this action for further proceedings is well-supported. Accordingly, the Report and Recommendation of the

United States Magistrate Judge is hereby affirmed and adopted as this court's Findings and Order.

IT IS THEREFORE ORDERED that the decision of the Administrative Law Judge is hereby **REVERSED** and this case is hereby **REMANDED** pursuant to the fourth sentence of 42 U.S.C. §405(g) for further administrative proceedings.

IT IS SO ORDERED this 2nd day of September, 2015.

A handwritten signature in black ink, reading "Ronald A. White". The signature is written in a cursive, flowing style.

**THE HONORABLE RONALD A. WHITE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF OKLAHOMA**